



64 Rec'd PCT/PTO

02 JUL 1997

FORM PTO-1390 (REV. 5/93)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket Number <b>960-29</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. Application No. (if known, see 37 C.F.R. 1.5) <b>08/836,734</b>	
International Application No. <b>PCT/EP/95/04575</b>	International Filing Date <b>21 November 1995</b>	Priority Date Claimed <b>22 November 1994</b>	
Title of Invention <b>LGMD GENE CODING FOR A CALCIUM DEPENDENT PROTEASE</b>			
Applicant(s) For DO/EO/US <b>BECKMANN et al</b>			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> <li>11. The above checked items are being transmitted: <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> before the 18<sup>th</sup> month publication.</li> <li>b. <input type="checkbox"/> after publication and the Article 20 communication but before 20 months from the priority date.</li> <li>c. <input type="checkbox"/> after 20 months.</li> <li>d. <input type="checkbox"/> by 30 months and a proper demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li> <li>e. <input type="checkbox"/> after 30 months.</li> </ul> </li> </ol> <p><b>Note:</b> Petition to revive (37 CFR 1.137(a) or (b)) is necessary if 35 U.S.C. 371 requirements submitted (1) after 20 months and no proper demand for International Preliminary Examination was made by 19 months from the earliest claimed priority date, or (2) after 30 months and a proper demand for International Preliminary Examination was made by 19 months from the earliest claimed priority date.</p> <ol style="list-style-type: none"> <li>12. At the time of transmittal, the time limit for amending claims under Article 19 <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>13. <input checked="" type="checkbox"/> Certain requirements under 35 U.S.C. 371 were previously submitted by the applicant on <u>May 22, 1997</u>, namely: <b>Application papers and filing fees</b></li> </ol> <p><b>Items 14. To 19. Below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>14. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>15. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>16. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> OR <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> </ol>			

19. <input checked="" type="checkbox"/> Other items or information: <b>Submission and Refund Request and Verified Statement (Declaration) Claiming Small Entity Status</b>				CALCULATIONS	<small>PRO USE ONLY</small>
20. <input type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5))</b>					
-- Search Report has been prepared by the EPO or JPO ..... \$910.00 -- International preliminary examination fee paid to USPTO (37 CFR 1.492).....\$700.00 -- No international preliminary examination fee paid to USPTO (37 CFR 1.492) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$770.00 -- Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$1,040.00 -- International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provision of PCT Article 33(1) to (4).....\$96.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$					
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	-20 =		X \$22.00	\$	
Independent Claims	-3 =		X \$80.00	\$	
Multiple Dependent Claims(s) (if applicable)			+ \$260.00	\$	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110/1 month); \$390/2 months); \$930/3 months)				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$				\$	
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b> \$				\$	
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 mos., from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b> \$				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	40.00
Fee for Petition to Revive Unintentionally Abandoned Application (\$1,290 - Small Entity Fee = \$645)				\$	
<b>TOTAL FEES ENCLOSED =</b> \$				\$	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$40.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-1140</u> . A <u>duplicate</u> copy of this form is enclosed.					
SEND ALL CORRESPONDENCE TO:				<u>Mary J. Wilson</u> Signature	
NIXON & VANDERHYE P.C. 1100 North Glebe Road, 8 <sup>th</sup> Floor Arlington, Virginia 22201 Telephone: (703) 816-4000				<u>Mary J. Wilson</u> Name	
32,955				July 2, 1997	
Registration Number				Date	